

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26413 of 2016

Arising Out of PS.Case No. -266 Year- 2015 Thana -KAHALGAON District- BHAGALPUR

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Rajan @ Rajendra Choudhary Son of late Shital Choudhary, Resident of
Village- Khoza Danora, P.S. Rasalpur, Distt Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vivekanand Vivek, Advocate

For the Opposite Party/s : Smt. Meena Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 26-08-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since 8.4.2016
in connection with Kahalgaon (Rasalpur) P.S. case No.266 of
2015 for the offences instituted under Sections 147, 148, 149, 323,
307, 504 of the IPC and later on Section 302 of the I.P.C. was also
added.

The prosecution story, in brief, is that on the alleged
date and time of occurrence, there was an altercation between
Chotu, the cousin of the informant and Anil Choudhary, the son of
the petitioner. The petitioner is alleged to have thrown Laxman
Choudhary, uncle of the informant, on the ground with an
intention to kill him, due to which he got injury in his head and
ear and blood started oozing out from his left ear. The informant
went to rescue him then the accused persons intended to assault

him. It is also alleged that they assaulted Sukhdeo Choudhary on his hand. On hulla the villagers assembled and then they fled away.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 8.4.2016 and the charge sheet has been submitted in the present case. There is no allegation of tampering of witnesses alleged against the petitioner. From perusal of the postmortem report, it is evident that the deceased died due to head injury. There is no allegation against the petitioner for causing any injury on the head of the deceased.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Kahalgaon (Rasalpur) P.S. case No.266 of 2015.

(Sudhir Singh, J)

Narendra/-

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